
FEDERAL SUBSISTENCE MANAGEMENT REGULATIONS

SHELLFISH

General Provisions:

You may take shellfish for subsistence uses at any time in any area of the public lands by any method, unless restricted by subsistence fishing regulations or this section. Federal subsistence shellfish management includes Dungeness crab, king crab, Tanner crab, shrimp, clams, abalone, and other shellfish or their parts.

Licenses:

You must be a rural Alaska resident, but no licenses are required to take shellfish for subsistence purposes.

Methods and Means:

Harvest Limit: The harvest limit for a subsistence season for a species and the State bag limit set for a State season for the same species are not cumulative. This means you can take the harvest limit for a particular species under a Federal subsistence season, but may not take any additional shellfish of that species under any other State season bag limit.

Gear: You may use gear outlined in the definitions of this booklet for subsistence taking of shellfish.

Purchase/Sale: You are prohibited from buying or selling subsistence-taken shellfish, their parts, or their eggs, unless otherwise specified.

Explosives/Chemicals: You may not use explosives and chemicals, except that you may use chemical baits or lures to attract shellfish.

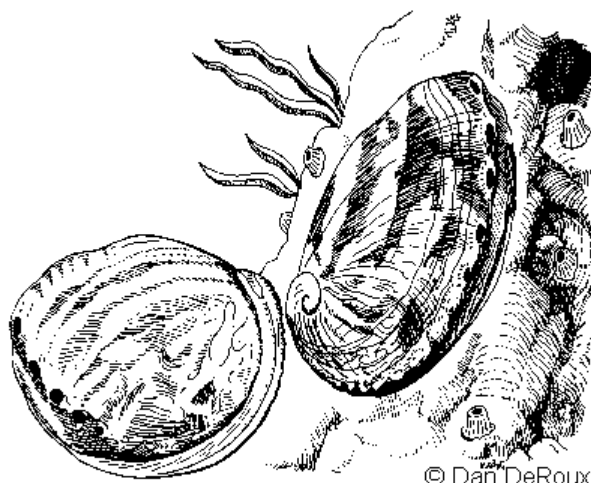
Identification/Gear Marking Requirements: Marking requirements for subsistence shellfish gear are:

- Plainly and legibly inscribe your first initial, last name, and address on a keg or buoy attached to any

unattended subsistence fishing gear, except when fishing through the ice.

- For ice fishing, you may substitute for the keg or buoy, a stake inscribed with your first initial, last name, and address inserted into the ice near the hole.
- Subsistence fishing gear may not display a permanent ADF&G vessel license number.
- Kegs or buoys attached to subsistence crab pots also must be inscribed with the name or United States Coast Guard number of the vessel used to operate the pots.

Escape Mechanism: Pots used for subsistence fishing must comply with the escape mechanism requirements outlined on page 4.



Methods and Means (continued):

Disfiguration: You may not mutilate or otherwise disfigure a crab in any manner that would prevent determination of the minimum size restrictions, until the crab has been processed or prepared for consumption.

Designating Another Person to Harvest Shellfish:

If you are a Federally-qualified subsistence user (beneficiary), you may designate another Federally-qualified subsistence user to take shellfish on your behalf. The designated fisherman must possess a valid designated harvest permit when taking, attempting to take, or transporting shellfish taken on behalf of a beneficiary. Any species of shellfish that may be taken by subsistence fishing, may be taken under a designated harvest permit.

The designated fisherman must get a designated harvest permit before attempting to harvest shellfish, and return a completed harvest report.

The designated fisherman may harvest for any number of beneficiaries, but must not have more than two harvest limits in his/her possession at any one time, or fish with more than one legal limit of gear.

You may not designate more than one person to take or attempt to take shellfish on your behalf at one time. You may not personally take or attempt to take

shellfish at the same time that a designated fisherman is taking or attempting to take shellfish on your behalf.

Shellfishing Permits and Reports:

If a subsistence shellfishing permit is required, the following conditions apply:

- You may not take more shellfish for subsistence than the limits set out in the permit.
- You must get a permit before subsistence fishing.
- You must have the permit in your possession and readily available for inspection while taking or transporting the species for that permit.
- The permit may include the species and numbers of shellfish to be harvested, time and area of fishing, the type and amount of fishing gear and other conditions necessary for management or conservation purposes.
- If specified on the permit, you need to keep accurate daily catch records. You need to show the number of shellfish taken by species, location, and date of the catch, and any other information required for management or conservation purposes.
- Subsistence fishing reports must be completed and submitted at a time specified for each particular

Shellfishing Permits and Reports (continued):

area and fishery. Do not ignore the reporting requirements, because if you do not follow procedures for reporting accurately, you will be ineligible to receive a subsistence permit for that activity during the following calendar year. If that happens, you may appeal your ineligibility if you can demonstrate your failure to report was due to unavoidable circumstances, such as loss in the mail, accident, or sickness.

Subsistence take by commercial vessels:

No commercially registered and licensed fishing vessel for shrimp pot, shrimp trawl, king crab, Tanner crab, or Dungeness crab fishing may be used for subsistence take during the period starting 14 days before an opening until 14 days after the closure of a respective open season in the area or areas for which the vessel is registered. However, if you are a commercial fisherman, you may keep shellfish for your own use from your lawfully taken commercial catch.

Legal Size:

You may not take or possess shellfish smaller than the minimum legal size limits.

Possession:

You may not possess, transport, give, receive or barter shellfish or their parts taken in violation of Federal or State regulations.

Lodges, Charters, Guides:

An owner, operator, or employee of a lodge, charter vessel, or other enterprise that furnishes food, lodging, or guide services may not furnish subsistence taken shellfish to a client or guest of that enterprise, unless:

- The shellfish was taken with gear deployed and retrieved by the client or guest.
- The gear was marked with the client's or guest's name and address.
- The shellfish is to be consumed by (or in the presence of) the client or guest.
- The captain and crewmembers of a charter vessel may not deploy, set, or retrieve their own gear in a subsistence shellfish fishery when that vessel is being chartered.